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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Angelo Magri¹, Ferruccio Frisina
Title of Invention: Insulated Gate Planar Integrated Power Device With Co-Integrated Schottky Diode and Process
Serial No.: 10/713,778
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Jamie Buhl

RESPONSE TO RESTRICTION REQUIREMENT

May 23, 2005

TO THE COMMISSIONER FOR PATENTS:

This communication is in response to the Office Action dated April 27, 2004 in which the Examiner restricted the pending claims in the present patent application.

The Examiner has restricted the claims into two groups: claims 1-5, 9, 10, 12, 16 and 20-22 (Group I), and claims 6-8, 11 and 17-19 (Group II). As discussed below, the Applicants respectfully traverse the restriction requirement on the grounds that the Examiner can search and examine the entire application without serious burden. Although the Applicants traverse the restriction requirement they provisionally elect to prosecute Group I claims 1-5, 9, 10, 12, 16 and 20-22 if the Examiner does not withdraw the restriction requirement.

According to MPEP § 803, if the Examiner can search and examine the application without serious burden, then he/she **MUST** examine the application on the merits even though it includes claims to independent or distinct inventions. As discussed below, because claims 1 – 22 recite similar subject matter, the Examiner can perform a single search and examination that will cover all of the claims. Consequently, the Examiner can search and examine the application without serious burden, and, therefore, **MUST** examine all of the claims 1 – 22 together.

Because the claims in these groups recite insulated gate power devices and methods of forming such devices, a search and examination of these claims will involve similar analyses. Therefore, it is only slightly more burdensome for the Examiner to search and examine claims 1 – 22 than it would be for him/her to search and examine the provisionally elected Group I claims 1-5, 9, 10, 12, 16 and 20-22. Consequently, because there is no serious burden on the Examiner to search and examine all of the claims 1 – 22, the **restriction is improper**. Therefore, the Examiner **MUST** withdraw the restriction and examine all of the claims.

Therefore, as discussed above, the Applicants respectfully request the Examiner to withdraw the restriction requirement and to examine all of the claims 1 - 22.

In the event an additional fee is due for this Response, you are hereby authorized to charge such payment to Deposit Account No. 07-1897.

If the Examiner believes that a phone interview would be helpful, he is respectfully requested to contact the Applicants' attorney, Paul F. Rusyn, at (425) 455-5575.

Respectfully Submitted,

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